



1           A.    It was different shops.  I can't recall exactly  
2    which.

3           Q.    When did you start working for M&B Manufacturing?

4           A.    I believe I started in two -- 2016.

5           Q.    Who was your boss at M&B Manufacturing?

6           A.    Mike Kenney is the owner of the company.

7           Q.    And in 2016 when you started at  
8    M&B Manufacturing, what did you do?

9           A.    Machining is just operate and set up CNC  
10   machines.

11          Q.    And that's what you did for M&B Manufacturing in  
12   2016?

13          A.    Yes.

14          Q.    And what kind of -- What did you make?  What kind  
15   of products did you make?

16          A.    Metal parts for -- manufacturing different parts  
17   for different companies.

18          Q.    Were they firearms?

19          A.    There's a whole range of parts that we made.

20          Q.    Did they include firearms?

21          A.    Not M&B.  M&B doesn't make firearms.

22          Q.    So, M&B did not make any firearm parts when you  
23   were working for them?

24          A.    Correct.

25          Q.    Did M&B make firearm parts for any other

1 companies when you were working -- while you were working  
2 for them?

3 A. They had many customers.

4 Q. And are -- Do you -- Did M&B Manufacturing  
5 manufacture any firearms parts for any of those customers?

6 A. My understanding is that M&B is not a firearms  
7 company so, therefore, we can't make firearms under M&B.

8 Q. Who do you make firearms under?

9 A. KE Arms is the company that does firearms, but I  
10 don't work for KE Arms.

11 Q. Does M&B make firearm parts for KE Arms?

12 A. I don't know how that works, if -- I don't  
13 believe so, because when firearm parts need to be made  
14 that's a separate -- it's separate from M&B.

15 Q. Are M&B and KE Arms in the same -- do they  
16 operate out of the same facility?

17 A. No.

18 Q. Have they ever?

19 A. I'm not sure.

20 Q. Where is M&B located now?

21 A. I work in the 4343 East Magnolia.

22 Q. Do you know what KE Arms' address is?

23 A. I don't know. They -- they have a separate  
24 building. I don't know if it's under the same address. I  
25 don't know that.

1 about the webbing in between it that has to be -- or  
2 doesn't have to be, but I don't know if it's equally  
3 spaced is something that, you know, behind the buttstock  
4 it needs some webbing for reinforcement or that's what  
5 they would prefer.

6 BY MR. BOGAN:

7 Q. Is it your testimony that you did not do a layout  
8 sketch or wireframe geometry for the ribbing in the KP-15  
9 buttstock?

10 MR. CALAWAY: Object to the form.

11 THE WITNESS: I'm sure there was some sort  
12 of layout.

13 BY MR. BOGAN:

14 Q. But it's your testimony under oath that you made  
15 no reference to that CAV-15 ribbing layout, correct?

16 MR. CALAWAY: Object to the form.

17 THE WITNESS: We saw the KP-15, the other  
18 one. We saw the file. We did see the ribbing. But it --  
19 it -- there was some changes in the back that weren't  
20 going to be the same as the new -- the KP-15. I remember  
21 looking at it, kind of the shape, the way it looked, but I  
22 don't believe we took measurements from it.

23 BY MR. BOGAN:

24 Q. You said the other one, you said the KP-15, the  
25 other one, you're talking about the CAV-15?

1 A. That would be the one.

2 Q. The other one?

3 A. Yes.

4 Q. And then you said, started to say the new. Would  
5 that -- the new one would be the KP-15, would be the new  
6 version of the CAV-15?

7 A. No. It's a completely different one.

8 Q. What was the new one that you were referencing  
9 then?

10 A. To the new model that I was creating.

11 Q. Which was for what?

12 A. For the KP-15.

13 Q. What was the old model of the KP-15?

14 A. There was none. There is no -- That's like the  
15 first thing I worked on, putting those together.

16 Q. Have you deleted any of the files related to this  
17 design including, but not limited to, these merged files  
18 we looked at? Have you deleted any of those files since  
19 this litigation was filed in 2020?

20 A. I might have. I might have gone back and cleaned  
21 up lots of files and all the files I needed to clean up  
22 just so to eliminate clutter.

23 Q. Do you know when you last deleted files related  
24 to the KP-15?

25 MR. CALAWAY: Object to the form.

1 THE WITNESS: I can't recall.

2 BY MR. BOGAN:

3 Q. Has anybody instructed you not to delete files  
4 related to the KP-15?

5 MR. CALAWAY: Object to the form.

6 THE WITNESS: No.

7 BY MR. BOGAN:

8 Q. So, nobody's instructed you not to delete files  
9 related to the KP-15?

10 MR. CALAWAY: Object to the form; asked and  
11 answered.

12 BY MR. BOGAN:

13 Q. Is that your testimony?

14 A. Right. I -- I might have erased it. I might  
15 have erased some files. Nobody told me to erase or not  
16 erase anything. It's just file management for myself.

17 BY MR. BOGAN:

18 Q. Why would you erase files potentially after this  
19 lawsuit was filed?

20 MR. CALAWAY: Object to the form.

21 THE WITNESS: I didn't know there was a  
22 lawsuit.

23 BY MR. BOGAN:

24 Q. When did you learn of the lawsuit?

25 A. When I received the subpoena.

1 Q. So you first learned there was a lawsuit over the  
2 KP-15 back in March; is that right?

3 A. I can't remember the exact date of the subpoena.

4 Q. Okay. Let's go back to this Bowles report. The  
5 first full paragraph, a little more than halfway down --

6 A. What page?

7 Q. BOWLES 9. Sorry. It should be -- you got it?

8 A. Yep.

9 Q. The first full paragraph, a little further down,  
10 more than halfway down, it starts with "It is obvious."  
11 Do you see that? I'll give you a minute to get there.

12 A. Here?

13 Q. Yep. "It is obvious that KE Arms made direct  
14 reference to the CAV-15 3D model's horizontal spacing and  
15 number of vertical ribs in the buttstock portion of the  
16 receiver." Do you see that?

17 A. I do see that.

18 Q. Do you disagree with that statement?

19 A. I would have to have them both together with  
20 measurements to agree with that. I don't know.

21 Q. Turn to Tab 181 for me, please.

22 A. 181?

23 Q. Are you there?

24 A. Yep.

25 Q. And then if you look at Tab 182, as well. It

1       should be the next one. Do you see that?

2           A. Yes.

3           Q. Okay. 181 says "CAV-15 Buttstock Rib Dimensions  
4       to Feature Centerline." Do you see that?

5           A. Yes.

6           Q. And 182 says "KP-15 Buttstock Rib Dimensions to  
7       Feature Centerline." Do you see that?

8           A. Yes.

9           Q. So, now you have the drawings in front of you,  
10       correct?

11          A. Um-hum.

12          Q. And --

13                       MR. CALAWAY: "Yes"?

14                       THE WITNESS: Yes.

15       BY MR. BOGAN:

16          Q. And looking at these, let's start with 182 since  
17       that's the modeling that you did. And you said that you  
18       though the rib spacing would be the same, correct?

19                       MR. CALAWAY: Object to the form.

20       BY MR. BOGAN:

21          Q. Equally spaced, right?

22          A. I believe so, yes.

23          Q. Are those equally spaced?

24          A. Umm, I -- I mean, measuring, they look equally  
25       spaced.



1 between that that needed to be equally spaced from the  
2 back where the buffer spring goes. From there, there has  
3 to be a distance that was equally spaced.

4 Q. And who told you that?

5 A. There was a conversation with, most likely,  
6 Russell about it.

7 Q. So Russell Phagan told you how to space that,  
8 those ribs, right?

9 A. There was something about that spacing. And I  
10 don't know if the reinforcement behind it, that they need  
11 it to be tighter just because it's plastic and there's a  
12 lot of force going back at the spring.

13 Q. Okay. Now let's turn to Exhibit 181 for me,  
14 please.

15 A. Okay.

16 Q. This is the CAV-15 buttstock, correct?

17 A. Yes.

18 Q. This is the one that you looked at the model  
19 and -- or, in the CAD file that Russell gave you, right?

20 A. Yes.

21 Q. And let's start with the buffer. What's the  
22 spacing from the hole to the first spacing on the ribbing?

23 A. Yeah, it's the same.

24 Q. So, all these spaces are the same, right?

25 A. Yes.

1 BY MR. BOGAN:

2 Q. Go ahead. Do you think that KE Arms should use  
3 things that they were told in confidence when there's an  
4 NDA?

5 A. I don't know if they have an NDA. I do what I'm  
6 asked as an employee. They come to me. This is what they  
7 want. And I do what they're asking me to do.

8 Q. Have you been asked to lie today?

9 MR. CALAWAY: Object to the form of the  
10 question.

11 THE WITNESS: No.

12 BY MR. BOGAN:

13 Q. Have you lied today?

14 A. No.

15 Q. You imported the CAV-15 file into Mastercam,  
16 right?

17 MR. CALAWAY: Object to the form.

18 THE WITNESS: I opened the file in  
19 Mastercam.

20 BY MR. BOGAN:

21 Q. So if Mike Kenney said that you guys didn't use  
22 the file at all, he would have been lying, right?

23 MR. CALAWAY: Object to the form.

24 THE WITNESS: Use as in --

25 BY MR. BOGAN:

1 Q. Looked at.

2 A. Yeah, we looked at the file.

3 Q. So if Mike Kenney said that you guys did not look  
4 at the file, he lied?

5 MR. CALAWAY: Object to the form.

6 THE WITNESS: I don't know if he knew that  
7 we looked at it or not. I don't know what he knows.

8 BY MR. BOGAN:

9 Q. If Russell Phagan said that you never looked at  
10 the file, he lied, right?

11 A. I don't know if he lied. I'm telling you I  
12 looked at it in Mastercam.

13 BY MR. BOGAN:

14 Q. With Russell Phagan looking at it over your  
15 shoulder, right?

16 MR. CALAWAY: Object to the form,  
17 argumentative.

18 BY MR. BOGAN:

19 Q. Correct?

20 A. I think so.

21 Q. What about Mike Kenney, did he look over your  
22 shoulder at the CAV-15 file?

23 A. I don't know if he looked at it, too.

24 Q. He was there, wasn't he?

25 A. I don't recall.